

## United States District Court

United States District Court  
Southern District of Texas  
FILED

SOUTHERN

DISTRICT OF

TEXAS MAY - 9 2014

UNITED STATES OF AMERICA

V.

David J. Bradley, Clerk

## CRIMINAL COMPLAINT

ANDRADE-ROCHA, Jose Miguel  
YOB 1974, MX

CASE NUMBER:

M-14-0930-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 9, 2014 in Starr county, in the Southern District of Texas defendant(s) did, (Track Statutory Language of Offense)

Knowingly and Intentionally possess with the Intent to Distribute approximately 587.5 kilograms of Marijuana, a Schedule I Controlled Substance.

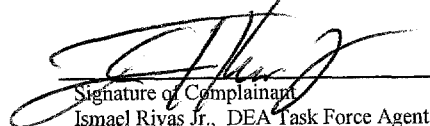
Knowingly and Intentionally conspire to possess with the Intent to Distribute approximately 587.5 kilograms of Marijuana, a Schedule I Controlled Substance.

in violation of Title 21 United States Code, Section(s) 846, 841 (a) (1)

I further state that I am a(n) DEA Task Force Agent and that this complaint is based on the following facts: See Attachment "A".

Continued on the attached sheet and made a part of hereof: ☒ Yes ☐ No

Approved by: Linda Reavenez, AUSA  
5/9/14

  
Signature of Complainant  
Ismael Rivas Jr., DEA Task Force Agent

Sworn to before me and subscribed in my presence,

May 9, 2014

Date

4:00 pm


At

McAllen, Texas

City and State

Peter E. Ormsby, U.S. Magistrate Judge

Name & Title of Judicial Officer

  
Signature of Judicial Officer

### **ATTACHMENT "A"**

On May 9, 2014, at approximately 12:30 AM, United States Border Patrol (USBP) Agents were conducting line-watch duties near La Rosita, Texas. USBP Agent Victor Soliz observed several subjects hiding in the brush on the Mexican side of the Rio Grande River and started conducting counter surveillance in the area of La Rosita Drive.

At approximately 5:15 AM, USBP Soliz observed a maroon minivan traveling southbound toward the river near the area where the subjects were seen. Shortly thereafter, Agent Soliz observed the same minivan traveling north from the Rio Grande River area at a high rate of speed and relayed the information, via radio, to the surrounding agents.

USBP Agent Jorge A. Perez responded from a nearby location. Agent Perez was able to locate the minivan and attempted to conduct a traffic stop. After turning on his emergency lights (red and blue) to signal the traffic stop, the minivan drove off the road and crashed into a fence. Agent Perez then observed the driver, later identified as Jose Miguel ANDRADE-Rocha, exit the minivan and flee on foot. After a short foot chase Agent Perez caught up to the driver and attempted to arrest him. The driver resisted arrest and a scuffle ensued.

During the scuffle the driver assaulted agent Perez, by hitting him on the mouth, causing a cut and swollen upper lip. Other agents arrived at the location and were able to subdue and hand-cuff the driver. Agent Perez was then transported to the Starr Co. Memorial Hospital for treatment. Agent Perez was treated for injuries to his mouth, right knee and left elbow.

The USBP Agents seized a total of fifty-five (55) bundles of marijuana from within the load vehicle ANDRADE was driving. The bundles were transported to the Rio Grande City Border Patrol Station for processing. The bundles of marijuana had an approximate weight of 587.5 kilograms.

On that same date, TFO Cosme Muniz and BPA/ TFO Ismael Rivas responded to the Rio Grande City Border Patrol Station to interview ANDRADE. TFO Rivas read ANDRADE his Miranda Warnings (witnessed by TFO Muniz) and ANDRADE waived

his rights. ANDRADE cooperated with the agents and stated he was the driver of the minivan that was loaded with marijuana. ANDRADE stated that he was given a cell phone and that he would be called and given instructions on where to go. ANDRADE also stated that he was going to get paid an unknown amount of money for transporting the marijuana bundles.

On that same date, Agents contacted AUSA Linda Requenez and advised her of the facts of the case. AUSA Requenez authorized federal prosecution for ANDRADE.